

## **REMARKS**

Claims 1-4, 6-8, 10-15, 18, 19 and 21 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-4, 6-8, 10-15 and 18 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent Publication No. 2002/0047916 (Miyagi). This rejection is respectfully traversed.

Miyagi is directed generally to a system that enables a user to send an image from a camera or personal computer to a central server. The server may convert the image to a suitable format for use on other types of devices, such as a phone. Any subsequent transmission of the image is directly from the server to a requesting device. Miyagi fails to teach or suggest that a requesting device can receive image data from a device other than the central server. In Miyagi, only the central server can retransmit image data. Even if a device could receive image data from a source other than the central server, Miyagi does not teach or suggest that the receiving device can select a source for the image data from amongst two different sources. For at least this reason, it is respectfully submitted that Claims 1 and 14, along with claims depending therefrom, defines patentable subject matter over Miyagi.

Nonetheless, in order to expedite prosecution of this application, independent Claims 1 and 14 have been amended to incorporate the limitations of objected to Claims 9 and 20, respectively, thereby placing these claims in condition for allowance.

In addition, objected to Claim 10 has been rewritten in independent form. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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